

Message Text

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TO DECSTATE WASHDC IMMEIDATE 8062
AMEMBASSY ALGIERS
AMEMBASSY CAIRO
AMEMBASSY DAKAR
DIA WASHDC
AMEMBASSY KHARTOUM
AMEMBASSY LAGOS
AMEMBASSY LIBREVILLE
AMEMBASSY NIAMEY
AMEMBASSY PARIS
AMEMBASSY TEHRAN
AMEMBASSY TRIPOLI
AMEMBASSY YAOUNDE

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E. O. 11652: N/A
TAGS: PEPR, PGOV
SUBJ: NEW GOVERNMENT FOR CHAD
SUMMARY: IN BRIEF BYT IMPRESSIVE CEREMONY AT 1700 HOURS
ON AUGUST 29, SUPREME MILITARY COUNCIL (CSM) AND THE
PROVISIONAL GOVERNMENT WERE DISSOLVED, AND A FUNDA-
MENTAL CHARTER OF THE REPUBLIC WAS PROMULGATED
SETTING UP A GOVERNMENT OF NATIONAL UNION. GENERAL
MALLOUM WAS NAMED PRESIDENT OF THE REPUBLIC AND
FORMER REBEL LEADER HISEN HABRE WAS NAMED PRIME
MINISTER. AFTER HIS SWEARING IN, MALLOUM MADE SHORT
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ADDRESSIN WHICH HE TRACED THE BRIEF HISTORY OF THE
CSM, STRESSED ITS STRIVING FOR NATIONAL RECONCILIATION,
AND OUTLINED THE FUNDAMENTAL CHARTER WHICH WAS
THE FINAL OUTCOME OF THESE EFFORTS. HE ADDED THAT
MEMBERS OF THE NEW GOVERNMENT, THE COMMITTEE OF
DEFENSE AND SECURITY (A MILITARY BODY MADE UP OF
REPRESENTATIVES OF BOTH SIDES TO GUARANTEE THE

CONTINUATION OF PUBLIC AUTHORITY), AND THE COUNCIL OF NATIONAL UNION (A REGIONAL CONSULTATIVE BODY) WOULD BE NAMED IN QUOTE THE COMING HOURS UNQUOTE. MALLOUM AND HABRE, STANDING ON TWIN PODIUMS, PRESENTED AT LEAST THE VISUAL IMAGE OF UNITY; MALLOUM A TALL, CLEAN SHAVEN CHRISTIAN IN FULL DRESS UNIFORM, AND HABRE A SHORT, SLIGHTLY BEARDED MOSLEM IN DESERT ROBES.

1. THE FUNDAMENTAL CHARTER ITSELF (COPY BEING POUCHED), AFTER A PREAMBLE SETTING FORTH THE RATIONALE FOR ITS ADOPTION, OUTLINES SIX STEPS TOWARDS ESTABLISHING A NEW GOVERNMENT. THESES ARE: (BMA) DISSOLUTION OF THE SMC ND CCFAN (HABRE'S ORGANIZATION); (B) DESIGNATION OF A PRESIDENT; (C) DESIGNATION OF A PRIME MINISTER; (D) CREATION OF A COMMITTEE OF DEFENSE AND SECURITY; (E) CREATION OF A CONSULTATIVE COUNCIL OF NATIONAL UNION; AND (F) ADOPTION OF THE FUNDAMENTAL CHARTER OF THE REPUBLIC. SIX CHAPTERS THEN FOLLOW SETTING FORTH THE STRUCTURE AND POWERS OF THE NEW GOVERNMENT; HIGHLIGHTS ARE AS FOLLOWS.

2. CHAPTER ONE DEALS WITH PRESIDENCY, WHOSE MANDATE EXPIRES WHEN A NEW CONSTITUTION IS ADOPTED AND ITS INSTITUTIONS ARE PUT IN PLACE. THE PRESIDENT LIMITED OFFICIAL USE

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IS THE GUARANTOR OF NATIONAL INDEPENDENCE, TERRITORIAL INTEGRITY AND NATIONAL UNION. IN THIS REGARD, HE IS CHARGED WITH THE ROLE OF SUPREME ARBITER. HE IS SUPREME COMMANDER OF THE ARMY AND OF THE ADMINISTRATION. HE WILL PRESIDE OVER THE COUNCIL OF MINISTERS, AND THE COMMITTEE OF DEFENSE AND SECURITY. THE PRESIDENT NAMES AND DISMISSES PRIME MINISTERS AT THE DIRECTION OF THE COMMITTEE OF DEFENSE AND SECURITY; MINISTERS AT THE SUGGESTION OF THE PRIME MINISTER; MEMBERS OF THE COUNCIL OF NATIONAL UNION AFTER CONSULTATION WITH THE PRIME MINISTER. THE PRESIDENT NEGOTIATES, SIGNS AND RATIFIES INTERNATIONAL TREATIES AND ACCORDS, BUT IS SPECIFICALLY PROHIBITED FROM CEDING ANY PORTION OF THE NATION.

3. CHAPTER TWO DEALS WITH THE GOVERNMENT OF NATIONAL UNION, AND OUTLINES THE NORMAL DUTIES OF A PRIME MINISTER. HOWEVER, IT IS MADE CLEAR THAT THE GOVERNMENT IS NOT SUPREME AND IS ACCOUNTABLE TO THE COMMITTEE FOR DEFENSE AND SECURITY, OF WHICH PRIME MINISTER IS ALSO A MEMBER. THE

GOVERNMENT IS CHARGED WITH AN ACTION PROGRAM INCLUDING THE STANDARD ITEMS OF ANY NEW AFRICAN GOVERNMENT, NOTABLE ADDITIONS ARE TO HAVE ELECTED A CONSTITUENT ASSEMBLY TO PUT IN PLACE NEW GOVERNMENTAL INSTITUTIONS AND TO MAKE ARABIC AND FRENCH THE OFFICIAL LANGUAGES OF CHAD. IT CLOSES BY POINTING OUT THAT THE FUNCTIONS OF THE MEMBERS OF THE GOVERNMENT ARE INCOMPATIBLE WITH THOSE OF THE COMMITTEE OF DEFENSE AND SECURITY OR THE COUNCIL OF NATIONAL UNION, THUS PREVENTING DUAL MEMBERSHIP AND WITH THOSE OF PUBLIC EMPLOYEES OR LUCRATIVELY ENGAGED PROFESSIONALS. MEMBERS OF THE MILITARY WHO ARE MEMBERS OF THE GOVERNMENT WILL BE DISCHARGED FROM ANY MILITARY FUNCTIONS.
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4. CHAPTER THREE SETS UP THE 16 MEMBER COMMITTEE OF DEFENSE AND SECURITY (EIGHT MILITARY MEN FROM EACH CAMP). THE COMMITTEE, WHICH IS THE SUPREME POWER OF THE NATION, WILL MEET REGULARLY EVERY THIRD MONTH, BUT CAN BE CALLED INT EXTRAORDINARY SESSION BY THE PRESIDENT OR TWO THIRDS OF ITS MEMBERS. DECISIONS WILL BE BY A SIMPLE MAJORITY OF TWO THIRDS OF THE MEMBERS.

5. CHAPTER FOUR SETS UP A SIXTEEN MEMBER COUNCIL OF NATIONAL UNION. THE MEMBERS WILL BE NAMED BY THE PRESIDENT AFTER CONSULTATION WITH THE PRIME MINISTER, AND WILL COME ONE FROM EACH PREFECTURE (14) AND TWO FROM NDJAMENA. THE COUNCIL IS PURELY CONSULTATIVE AND ITS ONLY REGULARLY CHARGED DUTY IS TO STUDY AND ELABORATE A NEW CONSTITUTION.

6. CHAPTER FIVE COVERS POSSIBLE AMENDMENTS TO THE CHARTER, WHICH CAN BE MADE BY A SIMPLE MAJORITY OF TWO THIRDS OF THE MEMBERS OF AN EXTRAORDINARY ASSEMBLY OF THE COMMITTEE OF DEFENSE AND SECURITY AND THE COUNCIL OF NATIONAL UNION.

7. CHAPTER SIX COVERS TEMPORARY ARRANGEMENTS, THE ONLY ONE OF WHICH IS OF NOTE BEING THE INTEGRATION OF THE ARMED FORCES OF THE TWO GROUPS.

8. COMMENTS: THERE ARE OBVIOUSLY SOME POINTS OF CONFUSION YET TO BE WORKED OUT IN BOTH THE TEXT AND ITS IMPLEMENTATION, BUT THE CHARTER REPRESENTS A GOOD FIRST STEP. A SPECIAL POINT WAS MADE DURING THE PROCEEDINGS TO SINGLE OUT FOREIGN MINISTER
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KAMOUGUE FOR SPECIAL TREATMENT. HE WAS ONLY
MEMBER OF EITHER CAMP TO ARRIVE AND DEPART WITH
MALLOUM AND HABRE. IT REMAINS TO BE SEEN WHETHER
THIS IS WINDOW DRESSING OR A MORE FAR REACHING
RAPPROCHMENT. FURTHER COMMENT WILL FOLLOW
AFTER WE HAVE HAD A CHANCE TO ANALYZE FUNDAMENTAL
CHARTER. BRADFORD

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